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August 28, 2000

Counselor Thomas M. DiMauro  
DEPUY ACROMED  
325 PAROUNT DRIVE  
RAYNHAM, MA 02767-0350

Re: Syringe

Dear Counselor DiMauro:

This is in response to your letter dated July 24, 2000 to Eric P. Schellin, which was referred to me for searching. In accordance with your request, I have conducted a Right-to-Market Search on the above referenced matter.

The search was directed to a graft delivery syringe. A syringe and method of using the syringe were described in the forwarded materials. Two features on the device that were of particular interest were a vented stopper, and a removable end cap that allows for containment of solids, a fluid connection, and an opening of a large orifice for the extrusion of a semi-rigid solid.

As a result of my investigation, I call your attention to the following patents; a copy of each is enclosed.

4,405,249 – **Scales**  
4,551,135 – **Gorman et al.**  
4,632,672 – **Kvitrud**  
4,769,011 – **Swaniger**  
4,820,306 – **Gorman et al.**  
4,994,065 – **Gibbs et al.**  
5,152,763 – **Johnson**  
5,181,918 – **Brandhorst et al.**  
5,577,517 – **Bonutti**  
5,694,951 – **Bonutti**  
5,697,932 – **Smith et al.**  
5,718,707 – **Mikhail**  
5,772,665 – **Glad et al.**  
5,824,084 – **Muschler**  
5,925,051 – **Mikhail**

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6,019,765 – **Thornhill et al.**  
6,045,555 – **Smith et al.**  
6,049,026 – **Muschler**

U.S. Patent No. 6,049,026 to **Muschler**, claims a kit for preparing a composite bone graft having a container to retain a porous substrate and to permit flow of a bone marrow aspirated suspension, wherein the container has two ends defining opens.

U.S. Patent No. 5,181,918 to **Brandhorst et al.**, claims a syringe for impregnating granules, comprising a) a cylindrical barrel with a dispensing front end, b) a removable cover, c) an air-permeable plug, d) a piston, and e) valve means disposed at the rear side of the plug.

U.S. Patent No. 4,551,135 to **Gorman et al.**, claims a mixing/dispensing syringe comprises: a) a barrel closed at one end by b) a flexible sealing piston, and c) a plunger rod removable attached to the piston, wherein the bore of the barrel is slightly flared.

The remaining patents listed above but not discussed may be of interest.

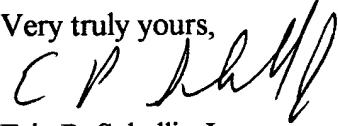
Field of search was as follows:

Class 128, subclass 898,

Class 606, subclasses 80, 92, 93, 94, and 99

Class 623, subclasses 23.51 and 923.

If we can be of further assistance please do not hesitate to contact us. In the meantime please find enclosed a photocopy of our debit memorandum 1997

Very truly yours,  
  
Eric P. Schellin Jr.

Enclosures